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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/521,572

08/16/2005

Shinichi Ishikawa

Q85803

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65565 7590 08/12/2009
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EXAMINER

MARC, MCDIEUNEL

ART UNIT

PAPER NUMBER

3664

MAIL DATE

DELIVERY MODE

08/12/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,572	Applicant(s) ISHIKAWA ET AL.	
	Examiner MCDIEUNEL MARC	Art Unit 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/21/2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5 are pending.
2. The rejection to claim 5 under 35 U.S.C. 112, second paragraph is withdrawn.
3. The rejection to claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by **Gräser** (*Technological Solutions to Autonomous Robot Control*, 1998) is maintained.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by **Gräser** (*Technological Solutions to Autonomous Robot Control*, 1998).

As per claims 1 and 2, **Gräser** as teaches an autonomous robot that equates to a carrier robot system (see fig. 1) comprising: a robot which has a placement portion for placing an object presenting a low-profile form thereon and carries the object (see fig. 1, and section 3., wherein the end effector being taken as a placement portion); a robot controller for controlling the robot (see fig. 1, particularly the “robot controller”); a jig mounted on the placement portion of the

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robot and having an image pickup member (see fig. 1, particularly the camera); an image processing portion for processing an image picked up by the image pickup member (see section 5.); and a superior control portion for controlling the robot controller and image processing portion from a superior position (see fig. 5, wherein the computer system being taken as superior control); a predetermined placement position (see fig. 1, wherein the end effector being taken as predetermine placement position) and transforming a position on the coordinate system of the image pickup member into a position on a coordinate system of the robot to determine the placement position (see fig. 2 and section 5 and the entire document).

As per claim 3, **Gräser** teaches an autonomous robot wherein a transformation matrix for transforming a relationship between the coordinate system of the image pickup member and the coordinate system of the robot in translation and rotation is determined in advance (see section 7, wherein having transformation matrix belongs to programming choice), and the position of the characteristic part in the coordinate system of the image pickup member is transformed into a position in the coordinate system of the robot (see section 5).

As per claim 4, **Gräser** teaches an autonomous robot wherein the jig is removable from the placement portion during conveyance of the object presenting a low-profile form (see fig. 1, wherein the transposition being interpreted as being removable from the placement portion during conveyance).

With respect to claim 5, having a characteristic part *such as* a hole, a pin, a mark, a letter pattern *or the like is* provided in the vicinity of the placement position does not have any patentable weight.

Response to Arguments

6. As to the reference not teaching a computer system is used to control robot controller or the image processing portion (as noted by the applicant's representative Gräser's Figs. 1 and 5 contains a computer connected to various other components), note that Gräser's being used for image processing;

As to the reference not teaching where a teaching control portion (see Gräser's Fig. 1, particularly the robot's controller).

7. Applicant's arguments filed 01/02/2009 have been fully considered but they are not persuasive.

8. In response to applicant's argument that Gräser is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Gräser's robot fits the claim language of this application to the extent necessary.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MCDIEUNEL MARC whose telephone number is (571)272-6964. The examiner can normally be reached on 6:30-5:00 Mon-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571) 272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/McDieunel Marc/

Examiner, Art Unit 3664

Saturday, August 08, 2009

/KHOI TRAN/

Supervisory Patent Examiner, Art Unit 3664